

Assembly Bill No. 527

Passed the Assembly September 10, 2009

Chief Clerk of the Assembly

Passed the Senate September 3, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 1174.1 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 527, Fuentes. Employee complaints: proceedings: payroll records.

Under existing law, the Labor Commissioner is authorized to investigate employee complaints and to provide a hearing in an action to recover wages, penalties, and other demands for compensation.

This bill would provide that if the Labor Commissioner finds that there is a pattern of falsification of the payroll records submitted for any pay period relating to any claim or complaint brought pursuant to the commissioner's authority, all payroll records relating to that claim or complaint must be presumed false.

The people of the State of California do enact as follows:

SECTION 1. Section 1174.1 is added to the Labor Code, to read:

1174.1. (a) If the Labor Commissioner finds that there is a pattern of intentional falsification of the payroll records submitted for any pay period relating to any claim or complaint brought pursuant to Section 98, all payroll records relating to that claim or complaint shall be presumed false.

(b) For purposes of this section, "a pattern of intentional falsification" means two or more intentionally falsified payroll records.

Approved _____, 2009

Governor